

ATTACHMENT A

AFFIDAVIT

I, David J. Gault, being duly sworn, depose and state that:

I am a Task Force Officer (TFO) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I am an investigator or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7), that is, an officer of the United States who is empowered to conduct investigations of and to make arrests for the offenses enumerated in Titles 18, 19, 21, and 31 of the United States Code and other related offenses. I have been a Task Force Officer (TFO) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), United States Justice Department since June 21, 2016. I am currently assigned to the Greenville, South Carolina Field Office. My duties involve the investigation of federal firearms offenses and associated violent crime and narcotics offenses.

I am a graduate of the South Carolina Criminal Justice Academy. I have served in various roles including Patrol, Crime Reduction Unit and Vice/Narcotics Unit for over ten years with the Greenville Police Department in Greenville, SC.

I have personally participated in the investigation of the offenses referred to in this affidavit. From personal participation and from oral and written reports made to me by others, I am familiar with the facts and circumstances of this investigation. This affidavit does not include all the facts known to me regarding this investigation, only those sufficient to establish probable cause that federal law has been violated. As such, I have set forth only those facts that I believe are necessary to establish probable cause to believe that Tommy Lee LONG, has violated Title 18, United States Code, Section 922(g)(1), by knowingly possessing a firearm in the District of South Carolina, on or about May 21, 2019, after being convicted of a crime for which he could have received more than one year in prison.

Arrest of LONG by Greenville Police Department

On May 21, 2019, Greenville Police Officer Garrett Holden was patrolling the area of South Pleasantburg Drive and Mauldin Road in the city limits of Greenville, South Carolina. Officer Holden observed a 2004 Honda Accord operating on the roadway with no operating brake lights. Officer Holden conducted a traffic stop of the vehicle and made contact with the driver, and sole occupant, Tommy Lee LONG.

LONG told Officer Holden that he did not have identification. LONG further said that he was traveling from 100 Shemwood Lane where he was visiting a friend who babysits his child. LONG could not tell Officer Holden who the babysitter was and there was no child in the car. Officer Holden documented that LONG showed signs of nervousness before and during the traffic stop. LONG explained to Officer Holden that there was a problem with his vehicle, popped the hood and attempted to get out of the vehicle without being asked to do so. Officer Holden requested consent to search the vehicle, which was denied by LONG, and requested that a K-9 officer respond.

Shortly thereafter, Officer Holden asked LONG to step out of the vehicle and if LONG had any weapons on his person. LONG said that he had a gun in his left pants pocket. Officer Holden located a Taurus semi-automatic 9mm pistol (SN: TJZ87725) loaded with several rounds of 9mm ammunition in LONG's pants pocket. LONG admitted that he was prohibited from possessing any firearms. LONG was detained and seated in the rear of Officer Holden's vehicle.

Officer Holden conducted an inventory search of the vehicle and located a small tied baggie containing a white rock that field tested positive to be cocaine.

LONG was arrested and charged with the state offenses of Possession of Cocaine and Unlawful Carrying of a Pistol. His bond for the state offenses was set at \$7,500.00.

Following his arrest LONG made several recorded phone calls from the Greenville County Detention Center. During those calls LONG indicated that if he was able to make his bond that he intended to flee to Texas.

Criminal history of LONG

LONG has previously been convicted of a crime punishable by imprisonment of a term exceeding one year, including Common Law Robbery and Eluding Arrest Motor Vehicle – 2 Aggravating Factors (North Carolina).

Interstate nexus of firearm

The firearms seized in this case, Taurus semi-automatic 9mm pistol (SN:TJZ87725), as well as the assorted 9mm ammunition, were not manufactured in the state of South Carolina, and as such, the firearm and

ammunition, prior to LONG's possession, traveled in and affected interstate commerce.

Pardon query for LONG


A search of the pardon records at the South Carolina Department of Probation, Parole and Pardon Services confirmed that LONG has not received a pardon for any of his convictions.

Wherefore, based upon all of the information set forth in this Affidavit, I respectfully submit that there is probable cause to believe that Tommy Lee LONG has violated Title 18, United States Code, Section 922(g)(1), by possessing a firearm after being convicted of a felony offense. In consideration of the foregoing, I respectfully request this Court to issue a Criminal Complaint and Arrest Warrant for Tommy Lee LONG.



David J. Gault
Task Force Officer, ATF

Sworn to and subscribed before me this 30th day of May, 2019.



THE HONORABLE JACQUELYN D. AUSTIN
United States Magistrate Judge
District of South Carolina